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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 3-05-70262 JL
Plaintiff,	)	
v.	)	<del>[PROPOSED]</del> ORDER EXCLUDING
	)	TIME UNDER THE SPEEDY TRIAL ACT
TIFFANY STUART, aka Jane Doe,	)	
JENNIFER LANGE, and	)	
BRANDY DOUGLAS,	)	
Defendants.	)	

This matter came on the calendar of the Honorable Nandor J. Vadas on July 21, 2005, for preliminary hearing or arraignment as to defendants TIFFANY STUART, JENNIFER LANGE, and BRANDY DOUGLAS. At the parties' request, the Court continued the matter until September 6, 2005 for preliminary hearing or arraignment. The defendants had previously agreed to an extension of time for the preliminary hearing under Federal Rule of Criminal Procedure 5.1(d). The parties agree that a further extension of time implicates the Speedy Trial

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Act, 18 U.S.C. § 3161(b), because this extension is beyond the thirty-day time limit for indictment required by the Speedy Trial Act.

The parties requested an exclusion of time under the Speedy Trial Act from July 21 through September 6, 2005 based upon the need for effective preparation of counsel. The government is in the process of providing discovery to the defense. Additionally, the parties are engaged in discussions which may lead to pre-indictment resolution of this matter. Therefore, the parties are requesting an exclusion of time under the Speedy Trial Act. The parties agree that the time from July 21 through September 6, 2005 should be excluded in computing the time within which an information or indictment must be filed. See 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

Accordingly, the Court HEREBY ORDERS that the time from July 21 through September 6, 2005 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the failure to grant the requested exclusion would deny the defendants reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendants in a speedy trial and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A). SO ORDERED.

DATED:

  
 HONORABLE ~~EDWARD M. CHEN~~  
 UNITED STATES MAGISTRATE JUDGE

Approved as to form:

Nandor J. Vadas

/s/ Josh Cohen  
 JOSH COHEN, ESQ.  
 Assistant Federal Public Defender  
 Attorney for Defendant Stuart

/s/ Suzanne Luban  
 SUZANNE LUBAN, ESQ.  
 Attorney for Defendant Lange

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/s/ Geoffrey Rotwein  
GEOFFREY ROTWEIN, ESQ.  
Attorney for Defendant DOUGLAS

/s/ Monica Fernandez  
MONICA FERNANDEZ  
Assistant United States Attorney